

provided in the caucus resolution is insufficient to take care of the mailing lists of the members of the Senate.

Therefore, be it resolved by the Senate that 2500 copies of the Senate Daily Journal be printed.

GAINER.

Read and laid on the table subject to call.

S. C. R. No. 6.

Senator Purl sent up the following resolution:

Whereas, the Senate and House of Representatives of the 42nd Legislature passed on a concurrent resolution authorizing the appointment of a committee from both Houses to make the necessary preparations for the inauguration of Governor Ross M. Sterling and Lieutenant Governor Edgar E. Witt, and

Whereas, certain expenses will of necessity occur in carrying out this work properly,

Therefore be it resolved by the Senate of Texas, the House concurring that the Committee having this work in charge be authorized to spend not more than \$600 dollars in connection with this work and that whatever debts properly incurred, not exceeding the above amount be paid out of the contingent fund of both Houses of the 42nd Legislature.

Be it Further Resolved, That the Committee appointed to perform this service, furnish the Speaker of the House and the Lieutenant Governor an itemized account of indebtedness incurred, approved by the Chairman of the Committee, before any vouchers are issued.

PURL.

Read and adopted.

Adjournment.

On motion of Senator Parr, the Senate, at 3:50 o'clock p. m., adjourned until Monday morning at 10 o'clock.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, Jan. 16, 1931.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1, A bill to be entitled

"An Act repealing Article 6818 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Have had the same under consideration and I am instructed to report back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,

Austin, Texas, Jan. 16, 1931.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 19, A bill to be entitled "An Act amending Article 6824 of the Revised Civil Statutes of Texas, of 1925, and declaring an emergency."

Have had the same under consideration and I am instructed to report back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Jan. 16, 1931.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills has carefully examined Senate Bill No. 11 and find the same is correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Jan. 16, 1931.

Sir: We, your Committee on Enrolled Bills has carefully examined Senate Bill No. 12, and find the same is correctly enrolled.

GREER, Chairman.

FIFTH DAY.

Senate Chamber,

Austin, Texas, Jan. 19, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodul.
Martin.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

See Appendix.)

Bills and Resolutions.

By Senators Woodul and Williamson:

S. J. R. No. 2, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of Taxes for State Highway purposes and by adding to Section 49 of said Article a provision enabling the Legislature to provide for the extension of the credit of the State for the purpose of the construction of a system of State Highways and reimbursing outlays and assuming obligations made by counties and defined road districts of the State thereof.

Read and referred to Committee on Constitutional Amendments.

By Senator Woodul:

S. J. R. No. 3, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of taxes for State Highway purposes, and for the equitable reimbursement of counties and defined road dis-

tricts for and on account of outlays heretofore made by said counties and road districts on said system of State Highways.

Read and referred to Committee on Constitutional Amendments.

By Senator Parr:

S. B. No. 29, A bill to be entitled "An Act creating and validating Brownsville Navigation District of Cameron County, Texas, to be governed by the provisions of Section 59 of Article 16 of the Constitution and of Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its regular session in 1925, relating to Navigation Districts, and an act creating and validating Brownsville Navigation District of Cameron County, Texas, passed by the Forty-first Legislature at its regular session in 1929, being Chapter 192 of the General and Special Laws passed at the regular session of said Forty-first Legislature, and defining its boundaries; etc."

Read and referred to Committee on Mining Irrigation, Drainage.

By Senator Parr:

S. B. No. 30, A bill to be entitled "An Act ratifying and validating the creation of Common School District Number Twenty-four of Duval County, Texas; ratifying and validating the order made and entered by the county board of Trustees of Duval County, Texas, on May 16, 1930, re-establishing and re-defining such common school districts; etc."

Read and referred to Committee on Educational Affairs.

By Senator Williamson:

S. B. No. 31, A bill to be entitled "An Act to amend Section sixteen, Senate Bill Eleven, Chapter Forty-two, General Laws of the Second Called Session of the Thirty-first Legislature."

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Williamson:

S. B. No. 32, A bill to be entitled "An Act to amend Article 1430, Title 17, Chapter 8, of the Penal Code of the State of Texas, adopted at a Regular Session of the Thirty-ninth Legislature, 1925, being an Act defining the receiving or con-

cealing of stolen property, or property, which has been acquired in such a manner that the acquisition comes within the meaning of the term theft by one knowing the same to have been so acquired, and prescribing the punishment for the violation thereof and providing that no person shall be excused from testifying against persons who have violated the provisions of said Article for the reason that such testimony would incriminate such witness, and providing that no person required to so testify shall be punishable for acts disclosed by such testimony, and providing that no such person so testifying shall be held in law or in fact to be an accomplice when a witness in any such trial."

Read and referred to Committee on Criminal Jurisprudence.

By Senators Woodul and Hopkins:

S. B. No. 33, A Bill to be entitled "An Act, making better provisions for the regulation of the sale and dealings in stocks, bonds and securities in this State, including any share, stock, treasury stock, stock certificate under a voting trust certificate, reorganization certificate or receipt, subscription or reorganization certificate, notes, bond debenture, mortgage certificate or other evidence of indebtedness, any form of commercial paper, certificate in or under a profit sharing or participation agreement, certificate of interest in or under an oil, gas or mining lease or title, or any certificate or instrument representing or secured by any interest in any or all of the capital, property, assets, profits or earnings of any company, investment contract, discount certificate, or any other instrument commonly known as a security, whether similar to those herein referred to or not, and providing for the registration of certain persons and companies dealing in securities; this Act being a Blue Sky Law superseding the present Blue Sky Law of this State; conferring powers and imposing duties on the Secretary of State and Attorney General and otherwise providing for the administration of this Act; providing for judicial ascertainment and the taking of appeals; prescribing penalties and making appropriations; repealing all laws and parts of laws in conflict herewith; enacting all nec-

essary provisions incidental to said purpose; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Holbrook:

S. B. No. 34, A Bill to be entitled "An Act, providing that there shall be constructed a permanent Museum Building to be known as the Texas State Museum Building; locating the same in the City of Austin on or adjacent to the Campus of the University of Texas and on a plat of land of not less than three acres, dedicated and set apart for that purpose, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 35, A Bill to be entitled "An Act making an appropriation to remove the remains of certain heroes and providing for monuments for such heroes."

Read and referred to Committee on Finance.

By Senator Woodul:

S. B. No. 36, A Bill to be entitled "An Act amending Section 3, Chapter 186, Acts of the Regular Session of the 39th Legislature, and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

By Senator Woodul:

S. B. No. 37, A bill to be entitled "An Act, to amend Article 1330, Revised Civil Statutes of 1925, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Williamson:

S. B. No. 38, A Bill to be entitled "An Act, amending Section 3-A, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, by adding thereto Section 3-B, providing for the refunding of license fees paid on motor vehicles which are subsequently demolished or destroyed; prescribing the fee therefor, and the means and manner of making such refund, and declaring an emergency."

Read and referred to Committee on Highways and Motor Traffic.

By Senator Williamson:

S. B. No. 39, A Bill to be entitled "An Act, amending Section 3, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, by adding thereto Section 3-Aa, providing that before issuing any license plates to those exempt by law from the payment of registration fees on motor vehicles, the approval of the State Highway Department shall be had, and providing for the revocation of license fee receipts and the recalling of plates delivered to such persons, and the means and manner thereof, prescribing offenses and penalties and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

By Senator Williamson:

S. B. No. 40, A Bill to be entitled "An Act to amend Article 1434, Chapter 8, Title 17, Penal Code of Texas, 1925, as amended by Chapter 77, Acts of the First Called Session of the Fortieth Legislature, and amending Article 1435, Chapter 8, Penal Code of Texas, 1925, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Purl:

S. B. No. 41, A Bill to be entitled "An Act defining group life insurance; providing that no policy of group life insurance shall be issued or delivered unless and until a copy of the form thereof has been filed with the Life Insurance Commissioner and formally approved by him, stipulating the provisions which must be contained in such policy; providing the manner of paying the proceeds of any such insurance; providing the method of computing the reserves on such policies; prohibiting the issuance of any contract of life insurance covering a group except as provided by the provisions of the Act, and declaring an emergency."

Read and referred to Committee on Insurance.

Senators Excused

The following Senators were excused for the day on account of important business:

Senator Patton, on motion of Senator Parrish.

Senator Pollard, on motion of Senator Beck.

Senator Moore, on motion of Senator Berkeley.

Senator Cousins, on motion of Senator Woodul.

Senate Bill No. 1.

Senator Rawlings moved to suspend the Constitutional rule and take up the following bill:

By Senator Rawlings:

S. B. No. 1, A bill to be entitled "An Act to repeal Chapter 81 of the General and Special Laws of the State of Texas, enacted in 1929, and declaring an emergency."

The motion prevailed by the following vote:

Yeas—26.

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodul.
Martin.	Woodruff.
Neal.	Woodward.

Absent.

Stevenson.

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 1 was put on its third reading and final passage, by the following vote:

Yeas—26

Beck.	Greer.
Berkeley.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hopkins.
Gainer.	Hornsby.

Loy.	Rawlings.
Martin.	Russek.
Neal.	Small.
Oneal.	Thomason.
Parr.	Williamson.
Parrish.	Woodul.
Poage.	Woodruff.
Purl.	Woodward.

Absent.

Stevenson.

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

Read third time and finally passed
by the following vote:

Yeas—26

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodul.
Martin.	Woodruff.
Neal.	Woodward.

Absent.

Stevenson.

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

Invitation

Senator Hornsby sent up the following invitation:

The Members of the Austin Woman's Club are entertaining with a formal Tea Thursday afternoon from 4 to 6 honoring Mrs. Ross Sterling. We wish to extend a cordial invitation to the wives of the Legislators to call and meet Mrs. Sterling.

The Members of the Austin Woman's Club, also wish to extend the courtesy to the wives of the Legislators of the use of the Austin Woman's Club during their stay in our City.

Sincerely,

Mrs. W. R. Long,
President, Austin Woman's Club.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Jan. 19, 1931,
Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 4, With reference to Federal legislation on the construction of a dam across the Red River near Denison, Texas.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 19, 1931.
Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 7. Directing the Adjutant General to take charge of the Capitol and Capitol grounds pending the inauguration ceremonies.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

S. C. R. No. 7.

Senator Purl sent up the following resolution:

Whereas. It is necessary that the Capitol and Capitol grounds be properly policed for the protection of the crowds that will be present for the inauguration ceremonies to take place on Tuesday, January 20th, 1931, when Governor-Elect Ross S. Sterling and Lieutenant Governor Edgar Witt, will be sworn in as Governor and Lieutenant Governor of this State; therefore be it

Resolved by the Senate, the House concurring, that Adjutant General Robertson be requested, and he is hereby directed, to take charge of the Capitol and Capitol grounds at midnight tonight and continue in charge until midnight tomorrow, January 20th, 1931. And he is further authorized to use whatever force that may be necessary to properly protect the safety and orderly

manner of the crowds that may be present on this occasion. Also he is authorized to keep all character of traffic vehicles out of the Capitol grounds during the 24 hours time he will be in charge.

ONEAL, HOPKINS,
PURL, POAGE.
WOODUL,

Read and adopted.

Ruling by Attorney General.

The Chair laid before the Senate the following ruling by the Attorney General:

Austin, Texas, Jan. 19, 1931.
Governor Barry Miller,
President of the Senate,
State Capitol Building,
My dear Governor Miller:-

I am attaching hereto a copy of an opinion which we have this day rendered to the Honorable Fred H. Minor, Speaker of the House of Representatives, upon the question of the amount of per diem and mileage to be allowed members of the Legislature.

It is believed that this opinion answers the questions propounded to this Department by you on January 17th.

We have addressed the opinion to Mr. Minor, since his request preceded yours, and they relate to the same subject matter.

Respectfully yours,
JAMES V. ALLRED,
Attorney General of Texas.

Austin, Texas, Jan. 19, 1931.
Honorable Fred H. Minor,
Speaker, Texas House of Representatives,
Capitol Building.
Dear Sir:

I am in receipt of your letter of the seventeenth instant requesting the opinion of this department as to what mileage and per diem should be paid members of the Forty-second Legislature. Your letter reads as follows:

"Under the recently adopted constitutional amendment it is provided that the members of the Legislature shall receive a per diem of not exceeding \$10.00 per day, and in addition to the per diem the members shall be entitled to mileage in going to and returning from the seat of

government, which mileage shall not exceed \$2.50 for every twenty-five miles traveled, the distance to be computed by the nearest and most direct route of travel.

"Since the Legislature has convened a statute has been passed by the Legislature and approved by the Governor, repealing the old article of the statutes, to-wit: Article 6818, and also a statute has been passed amending Article 6824 to the effect that the provisions of the last mentioned article shall not apply to the fixing of the salaries of members of the Legislature within the constitutional limits. In addition to the passage of the above mentioned legislation, a House Concurrent Resolution has been passed, fixing the per diem of the members at \$10.00 per day, in keeping with the provisions of the recently adopted constitutional amendment, and also fixing the mileage at \$2.50 for every twenty-five miles traveled in going to and returning from the seat of government. These enactments were all approved by the Governor on Friday, January 16th, and became effective on that date.

"We are called upon under the custom heretofore existing to issue warrants today for such per diem and mileage as the members are entitled to receive under the law. Will you be kind enough to render us an opinion, advising upon what basis such per diem and mileage should be paid under the conditions hereinabove detailed. I am herewith enclosing copy of House Concurrent Resolution No. 6 for your information.

"Thanking you for your prompt attention to this matter, I am. . ."

The copy of House Concurrent Resolution No. 6, which accompanied your letter, reads:

"Be It Resolved by the House of Representatives of the State of Texas, the Senate concurring, that the pay of the members of the 42nd Legislature is hereby fixed at Ten Dollars (\$10.00) per diem for the first One Hundred and Twenty Days (120) of the session, and after that the sum of Five Dollars (\$5.00) per diem for the remainder of the session.

"Be It Further Resolved in addition to the per diem the members of each house shall be entitled to

mileage in going to and returning from the seat of government, which mileage shall be Two Dollars and Fifty Cents (\$2.50) for every twenty-five (25) miles, the distance to be computed by the nearest and most direct route of travel, from a table of distances prepared by the Comptroller to each County Seat now or hereafter to be established; no member to be entitled to mileage for any extra session that may be called within one (1) day after the adjournment of the Regular or any Called Session."

Since the receipt of your request at noon, Saturday, January 17th, we have given these matters almost constant consideration, and in the short time we have had, we have investigated all available authorities on the subject.

It is our opinion that Section 24, Article 3 of the Constitution of Texas, as amended in 1930, authorized the present Legislature to fix the compensation of its members at \$10.00 per diem for the first one hundred and twenty (120) days of the session and the mileage of each member at \$2.50 for every twenty-five miles, especially in view of the interpretation placed upon said amendment by the Legislature in House Concurrent Resolution No. 6, a copy of which is above set out.

You are accordingly advised that, in our opinion, warrants may be issued in accordance with the terms of said resolution.

Respectfully yours,

JAMES V. ALLRED,
Attorney General of Texas.

Simple Resolution No. 9.

Senator Gainer called up from the table Simple Resolution No. 9, Providing for 2500 copies of the daily Senate Journal.

Senator Williamson sent up the following amendment:

Amend by striking out "2800" and insert in lieu thereof "2000," to be equally distributed among the Senators and Lieutenant Governor.

WILLIAMSON.

The amendment was read.

Senator Greer moved to table the amendment. The motion was lost by the following vote:

Yeas—10.

Beck.	Neal.
DeBerry.	Parrish.
Greer.	Purl.
Loy.	Russek.
Martin.	Thomason.

Nays—12.

Berkeley.	Parr.
Cunningham.	Poage.
Gainer.	Stevenson.
Hardin.	Williamson.
Holbrook.	Woodul.
Hornsby.	Woodruff.

Absent.

Oneal.	Small.
Rawlings.	Woodward.

Absent—Excused.

Cousins.	Patton.
Hopkins.	Pollard.
Moore.	

Senator Williamson received unanimous consent to withdraw the amendment.

Senator Holbrook sent up the following amendment:

Amend the resolution so as to provide that each Senator be allowed an equal number of said Journals.

HOLBROOK.

The amendment was read.

Senator Woodul sent up the following substitute for the pending amendment:

Amend Simple Resolution No. 9, by adding at the conclusion of said resolution:

"And each Senator shall be entitled to sufficient copies of the Journal for mailing to constituents in his district so long as there may be copies of said Journal available."

WOODUL.

The substitute for the amendment was read.

On motion of Senator Purl, the resolution was laid on the table subject to call.

Gift to Lieutenant Governor Miller.

Senator Holbrook, on behalf of the Senate, presented to Lieutenant Governor Barry Miller a clock as a token of appreciation of his years of public service.

Lieutenant Governor Miller responded with an expression of thanks.

Senator Berkeley briefly expressed his appreciation of the service rendered by Lieutenant Governor Miller.

S. C. R. No. 8.

Senator Martin sent up the following resolution:

S. C. R. No. 8. Whereas, Brigadier-General Robert Lamar Robertson is soon to retire to private life after four years of efficient and illustrious service as Adjutant General of the State of Texas; and

Whereas, General Robertson has effectively and without seeking publicity maintained and increased the prestige of the Ranger Force and the Texas National Guard during his administration; and

Whereas it is fitting that such a high record be made permanent in this body in appreciation of service honorably discharged and as an example to all in service of State, which record is as follows:

"General Robertson is a native Texan. He was born in Gonzales County of southern parentage. He is a graduate of the public schools of Texas and of Texas A & M College. After graduation he entered business in Gonzales with his father where he remained until he entered the service of his country.

Immediately after the declaration of War he entered the First Officers Training Camp at Leon Springs, Texas, May 1917. He served with distinction overseas as Captain of Infantry, 36th Division. He led his company in action in the Muese-Argonne Offensive, Champaign Front.

With the re-organization of the 36th Division, Texas National Guard, after the World War, Robert Lamar Robertson was made Major of Infantry, Texas National Guard and assigned to duty as Battalion Commander 141st Infantry Regiment.

When the Honorable Dan Moody was inaugurated as Governor January 1927 the office of Adjutant General of Texas and Brigadier-General, Texas National Guard was tendered Major Robertson, without his solicitation.

Numerous accomplishments fill the Administration of General Robertson. Every effort was put forth to build up and increase the value of

the justly famed Texas Rangers. At the General's request the 41st Legislature increased their pay. Care was exercised in all uses of the Rangers and no criticism has been made of improper exercise of that authority in general cases or under martial law. General Robertson exhibited rare tact and consideration in all martial law reigns with National Guard troops as well. Order was restored with as little interference with the citizenship as possible.

After General Robertson assumed the duties of his office the Federal property accountability records of the Guard were found to be in a chaotic condition. It was by a general physical inventory of the property in the hands of all units of the Texas National Guard that very few of the records of these organizations agreed with those in the office of the U. S. Property and Disbursing officer. As a result of his efforts in this direction Texas was given a full property clearance by the War Department for the first time since the World War, amounting to a total of \$142,319.93.

During the last Federal Army Inspection of the National Guard not a single one of the 163 units was rated "Unsatisfactory" and 144 of them, or 88.3% received ratings of "Very Satisfactory," the highest possible rating."

Therefore, Be It Resolved by the Senate of Texas, the House of Representatives concurring, That General Robert Lamar Robertson is tendered the thanks of the State of Texas for the high type of service rendered his State and Nation through the efficient administration of the affairs of the Ranger Force and the Texas National Guard during his tenure of office.

Be It Further Resolved that a copy of this resolution, signed by the President and Secretary of the Senate and the Speaker and Chief Clerk of the House, with the seal of the State of Texas thereon, be mailed General Robertson.

HOPKINS,
MARTIN.

The resolution was read.

Senators Hopkins, Beck, Russek and Thomason spoke to the resolution.

The resolution was adopted.

Message from the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Office,
Austin, Texas, Jan. 19, 1931.
To the Texas Senate:

Attached hereto is a list of names submitted by Senator Margie E. Neal for appointments as notaries public, and the appointments are made as requested, subject to your confirmation.

Respectfully,
DAN MOODY.

Read and referred to the Committee on Governor's Nominations.

Simple Resolution No. 10.

Senator Williamson sent up the following resolution:

Resolved by the Senate that the Highway Commission be requested to submit to the Senate as soon as possible all information and data within its possession touching the operation of trucks and bus lines over the State Highways, particularly as to injury to the highways, and danger to persons and property, together with the Commission's recommendations as to such regulatory measures as are necessary and practicable, particularly:

1. As to the maximum weight of vehicles and loads;
2. The height, weight and other dimensions of vehicles and loads;
3. The speed for the operation of such vehicles, and
4. Such other recommendations regarding this matter as said Commission may desire to submit.

WILLIAMSON.

Read and adopted.

Special Order Set

Senator Woodward moved to make the Committee reports on Simple Resolution No. 3, and S. C. R. No. 2 special order today at 2 o'clock p. m. The motion prevailed.

Simple Resolution No. 8.

Senator Neal called up from the table:

Simple Resolution No. 8 Endorsing the principle of prohibition.

Senator Parr received unanimous

consent to withdraw his motion to table.

Senator Stevenson sent up the following amendment:

Amend by striking out the second paragraph.

STEVENSON.

The amendment was read.

Recess.

On motion of Senator Greer, the Senate, at 12:10 o'clock p. m., recessed until 2:30 o'clock p. m.

After Recess.

The Senate met at 2:30 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Message From the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Office
January 19, 1931.

To the Forty-second Legislature:

Your attention is directed to the fact that recently Honorable L. J. Brucks, Judge of the Thirty-eighth Judicial District, was indicted by a Grand Jury, organized and impaneled in the District Court for the Thirty-eighth Judicial District, on a charge of operating a motor vehicle while intoxicated, a violation of the penal laws of this state.

The indictment in this case was quashed and the issues of fact were not submitted to a jury. Subsequently he was tried and convicted in a Justice of the Peace Court of Bandera County on a charge of drunkenness and has appealed from this conviction.

In the belief that it is necessary in the maintenance of the dignity of the judiciary of this state, these facts are called to your attention to the end that you may investigate them and determine, after according Judge Brucks a hearing, whether or not he should be removed by the Governor after address by the legislative bodies of this state under the terms of Article 5964, Revised Civil Statutes. 1925.

Respectfully submitted,
DAN MOODY.

Simple Resolution No. 8.

The question recurred upon the amendment to S. R. No. 8.

Simple Resolution No. 3.

Senator Woodward received unanimous consent to take up S. R. No. 3, Relating to Senate rules.

On motion of Senator Woodward, the resolution was laid on the table subject to call.

S. C. R. No. 2.

Senator Woodward received unanimous consent to take up:

S. C. R. No. 2, Relating to Joint rules.

The resolution was adopted by the following vote:

Yeas—26

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Neal.	Woodward.

Absent.

Woodruff.

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

Simple Resolution No. 11.

Senator Woodward received unanimous consent to send up the following resolution:

Whereas, Mrs. Ed. Sherman and Mr. J. W. Lynch performed certain services for seven days immediately preceding the convening of the 42nd Legislature in respect to a revision of and a compilation of the rules of the Senate, and; whereas, no provision was made in the caucus report to allow compensation therefor: Therefore be it resolved by the Senate that the sum of \$10.00 per day be allowed J. W. Lynch and \$5.00 per day be allowed Mrs. Sherman, same to be paid out of the

contingent fund of the Senate upon warrants properly drawn.

WOODWARD.

Read and adopted.

Simple Resolution No. 8.

The question recurred on the pending amendment to S. R. No. 8.

Senator Martin moved to table the amendment.

Senator Stevenson raised the point of order that the constitutional amendment recently adopted made no distinction between a resolution and a bill; therefore a four-fifths vote would be required to take up the resolution; therefore the resolution was not properly before the Senate.

The Chair, Lieutenant Governor Barry Miller, overruled the point of order.

The motion to table the amendment prevailed by the following vote:

Yeas—19

Beck.	Oneal.
Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Greer.	Rawlings.
Hardin.	Thomason.
Hornsby.	Woodul.
Loy.	Woodruff.
Martin.	Woodward.
Neal.	

Nays—6

Gainer.	Russek.
Hopkins.	Stevenson.
Parr.	Williamson.

Absent.

Holbrook.	Small.
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Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

The resolution was adopted by the following vote:

Yeas—17

Beck.	Oneal.
Berkeley.	Parrish.
Cunningham.	Poage.
DeBerry.	Purl.
Greer.	Rawlings.
Hardin.	Thomason.
Hornsby.	Woodul.
Loy.	Woodward.
Neal.	

Nays—7

Gainer.	Russek.
Hopkins.	Stevenson.
Martin.	Williamson.
Parr.	

Absent.

Holbrook.	Woodruff.
Small.	

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

Senate Bill No. 29.

Senator Parr moved to take up the following bill:

By Senator Parr:

S. B. No. 29, A Bill to be entitled "An Act creating and validating Brownsville Navigation District of Cameron County, Texas, etc., and declaring an emergency."

The motion prevailed by the following vote:

Yeas—26

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Loy.	Woodul.
Martin.	Woodruff.
Neal.	Woodward.

Absent.

Thomason.

Absent—Excused.

Cousins.	Patton.
Moore.	Pollard.

The rule requiring Committee reports to lie over 24 hours was suspended by a three-fourths vote.

The committee report was adopted.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. 29 was put on its second reading by the following vote:

Yeas—26

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Loy.	Woodul.
Martin.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Cousins.	Pollard.
Moore.	Thomason.
Patton.	

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. 29 was put on its third reading and final passage, by the following vote:

Yeas—26

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Loy.	Woodul.
Martin.	Woodruff.
Neal.	Woodward.

Absent.

Moore.

Absent—Excused.

Cousins.	Pollard.
Patton.	Thomason.

Read third time and finally passed by the following vote:

Yeas—26

Beck.	Holbrook.
Berkeley.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Neal.
Hardin.	Oneal.

Parr.	Small.
Parrish.	Stevenson.
Poage.	Williamson.
Purl.	Woodul.
Rawlings.	Woodruff.
Russek.	Woodward.

Absent—Excused.

Cousins.	Pollard.
Moore.	Thomason.
Patton.	

Adjournment.

On motion of Senator Rawlings, the Senate, at 3:30 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX

Committee On Engrossed Bills.

Engrossing Room

Austin, Texas, January 19, 1931.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills has carefully examined Senate Bill No. 1 and find the same correctly Engrossed.

S. B. No. 1, A bill to be entitled "An Act to repeal Chapter 81 of the General and Special Laws of the State of Texas, enacted in 1929, and declaring an emergency."

HARDIN, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Jan. 19, 1931.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 29, A bill to be entitled "An Act creating and validating Brownsville Navigation District of Cameron County, Texas to be governed by the provisions of Section 59 of Article 16 of the Constitution and of Chapter 5 of the General Laws passed by the Thirty-ninth Legislature at its regular session in 1925, relating to Navigation Districts, and an act creating and validating Brownsville Navigation District of Cameron County, Texas, passed by the Forty-first Legislature at its regular session in 1929, being

Chapter 192 of the General and Special Laws passed at the regular session of said Forty-first Legislature, and defining its boundaries; etc."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and being a local bill, that it be not printed.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1931.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred

S. R. No. 3, Relating to the amendment of the rules of the Senate.

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1931.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred

S. C. R. No. 2, Relating to the amendment of the rules of the Senate.

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HARDIN, Chairman.

SIXTH DAY.

Senate Chamber,

Austin, Texas,

January 20, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Hopkins.
Berkeley.	Hornsby.
Cunningham.	Loy.
DeBerry.	Martin.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Oneal.
Holbrook.	Parr.